UNITED STATES PATENT AND TRADEMARK OFFICE

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LEE & HAYES PLLC
601 W Riverside Avenue
Suite 1400
SPOKANE, WA 99201

EXAMINER
RUBIN, BLAKE J

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/811,035	WALKUSH ET AL.
	Examiner	Art Unit
	BLAKE RUBIN	2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *27 June 2008*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-44* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-44* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *27 June 2008* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is in response to communications filed June 27, 2008.

2.   Claims 1-44 are pending in this application. Claims 1, 15, 16, 21, 22, 24-26, 27, 33, and

39 are currently amended.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-9, 11-16, 20, and 33-35 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Harvey et al. (US Patent No. 6,784,901, hereinafter Harvey), in view of

Doss et al (U.S. Patent No. 6,731,323, hereinafter Doss).

5.   With respect to claim 1, Harvey discloses the computerized method of bubble messaging

(column 5, lines 33-37; Figure 16E) comprising:

        creating a personalized graphical message (column 6, lines 46-49; column 16, lines 17-

32), the personalized graphical message comprising:

        message text (column 10, lines 61-63; where Harvey uses Avatars to represent a

sender/recipient of a message); and

a graphical message shape specification (column 16, lines 8-17; where the "graphical

message shape" is disclosed by Harvey as "texture" throughout);

seamlessly sending the personalized graphical message to at least one recipient (column

10, lines 61-63);

as a result of the personalized graphical message being sent, displaying a notification of

the personalized graphical message (column 16, lines 3-7);

in response to recipient interaction with the displayed notification of the personalized

graphical message, displaying a graphical message open animation that provides a transition to a

shape specified by the graphical message shape specification of the personalized graphical

message (column 8, lines 1-3); and

displaying the personalized graphical message, the displayed personalized graphical

message having the shape specified by the graphical message shape specification of the

personalized graphical message (column 6, lines 43-49).

But does not disclose a subscription to premium message edit settings.

However, Doss discloses determining whether a user of a message editor is associated

with a subscription to premium message edit settings (column 10, lines 4-7);

Retrieving one or more particular premium message edit settings when the user is

associated with a subscription to the premium message edit settings (column 8, lines 16-23,

media enhanced greetings)

It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Doss. The motivation to combine being,

to enhance the messaging experience by offering users additional multi media permutations of standard text communication.

6.   With respect to claim 2, the combination of Harvey and Doss discloses the computerized method of claim 1, Harvey further discloses wherein: the personalized graphical message further comprises: a graphical message iconic shape specification (column 16, lines 17-32); and a graphical message open animation specification (column 8, lines 1-3); displaying the notification of the personalized graphical message comprises displaying a graphical message iconic shape specified by the graphical message iconic shape specification of the personalized graphical message (column 16, lines 3-7); and displaying the graphical message open animation comprises displaying the graphical message open animation specified by the graphical message open animation specification of the personalized graphical message (column 8, lines 1-3).

7.   With respect to claim 3, the combination of Harvey and Doss discloses the computerized method of claim 1, Harvey further discloses wherein: the personalized graphical message further comprises a sender icon (column 7, lines 53-55; wherein the Avatar is a graphical representation of the sender, and thus comprises a "sender icon"); and displaying the personalized graphical message comprises displaying the sender icon of the personalized graphical message (column 7, lines 53-55).

8.   With respect to claim 4, the combination of Harvey and Doss discloses the computerized method of claim 1, Harvey further discloses wherein the graphical message shape specification

comprises: a shape identifier; shape dimensions; and a shape color scheme (column 11, lines 22-27).

9.   With respect to claim 5, the combination of Harvey and Doss discloses the computerized method of claim 1, Harvey further discloses wherein creating the personalized graphical message comprises performing at least one graphical message edit action as a result of at least one user interaction with a bubble message edit graphical user interface component. (column 7, lines 34-42; column 8, lines 22-29; column 11, lines 17-30; Figure 16E).

10.   With respect to claim 6, the combination of Harvey and Doss discloses the computerized method of claim 1, Harvey further discloses wherein seamlessly sending the personalized graphical message to at least one recipient (column 10, lines 16-20) comprises sending the personalized graphical message to at least one recipient as a result of at least one user interaction with a bubble message edit graphical user interface component (column 7, lines 34-42; column 8, lines 22-29; column 11, lines 17-30; Figure 16E).

11.   With respect to claim 7, the combination of Harvey and Doss discloses the computerized method of claim 1, Harvey further discloses wherein seamlessly sending the personalized graphical message to at least one recipient comprises: storing the personalized graphical message in a message store (column 5, lines 56-63); and sending said at least one recipient the notification of the personalized graphical message (column 16, lines 3-7).

12.   With respect to claim 8, the combination of Harvey and Doss discloses the computerized

method of claim 1, Harvey further discloses wherein: the shape specified by the graphical

message shape specification comprises a bubble shape (Figure 16E); and the graphical message

open animation comprises visually inflating the bubble shape (column 22, lines 27-46; Figure

19A-19F; Figure 16E; whereby the bubble shape begins the animation in its iconic form, as it

enters the viewport, and as it nears the recipient its size is expanded, which optical recreates the

effect of inflating a bubble).

13.   With respect to claim 9, the combination of Harvey and Doss discloses the computerized

method of claim 1, Harvey further discloses wherein: the shape specified by the graphical

message shape specification comprises a bubble shape (column 16, lines 3-7; Figure 16E);

displaying the notification of the personalized graphical message comprises displaying an iconic

form of the bubble shape (column 8, lines 1-3; Figure 16E); and the graphical message open

animation comprises visually inflating from the iconic form of the bubble shape to the bubble

shape (column 22, lines 27-46; Figure 19A-19F; Figure 16E; whereby the bubble shape begins

the animation in its iconic form, as it enters the viewport, and as it nears the recipient its size is

expanded, which optical recreates the effect of inflating a bubble).

14.   With respect to claim 11, the combination of Harvey and Doss discloses the

computerized method of claim 1, Harvey further discloses wherein: a graphical user interface

icon is associated with said at least one recipient (column 8, lines 61-66); and creating the

personalized graphical message occurs as a result of at least one user interaction with the

graphical user interface icon associated with said at least one recipient (column 7, lines 34-42;

column 8, lines 22-29; column 11, lines 17-30; Figure 16E).

15.   With respect to claim 12, the combination of Harvey and Doss discloses the

computerized method of claim 1, Harvey further discloses wherein: a graphical user interface

icon is associated with said at least one recipient (column 8, lines 61-66); and displaying the

notification of the personalized graphical message comprises displaying the notification of the

personalized graphical message in proximity to the graphical user interface icon associated with

said at least one recipient (column 11, lines 1-16).

16.   With respect to claim 13, the combination of Harvey and Doss discloses the

computerized method of claim 1, Harvey further discloses wherein creating the personalized

graphical message comprises retrieving at least one default setting (column 8, lines 35-48).

17.   With respect to claim 14, the combination of Harvey and Doss discloses the

computerized method of claim 13, Harvey further discloses wherein retrieving said at least one

default setting comprises retrieving at least one remote default setting (column 35, lines 35-48).

18.   With respect to claim 15, the combination of Harvey and Doss discloses the

computerized method of claim 1, Doss further discloses selecting a number of message edit

settings in a constrained random manner from a set of message edit settings (column 9, lines 1-

2); and providing the number of message edit settings to the user of the message editor (column 17, lines 1-9).

19.   With respect to claim 16, the combination of Harvey and Doss discloses the computerized method of claim 15, Doss further discloses selecting a number of message edit setting in a constrained random manner includes utilizing an aesthetically determined constraint (column 17, lines 1-9).

20.   With respect to claim 20, the combination of Harvey and Doss discloses the computer-readable medium of claim 1, Harvey further discloses having thereon computer-executable instructions for performing the method (column 6, lines 8-13).

21.   With respect to claim 33, Harvey discloses the computerized system, comprising a bubble message viewer (column 6, lines 25-31), the bubble message viewer configured perform acts comprising:

        display, in response to user interaction with a displayed notification of a received personalized graphical message (column 16, lines 3-7), a graphical message open animation that provides a transition to a shape specified by a graphical message shape specification of the received personalized graphical message (column 8, lines 1-3), the received personalized graphical message comprising:

        message text (column 10, lines 61-63); and

the graphical message shape specification (column 16, lines 8-17); and

display the received personalized graphical message, the received personalized graphical

message when displayed having the shape specified by the graphical message shape specification

of the received personalized graphical message (column 16, lines 8-17); and

But does not disclose a close a close animation.

However, Doss discloses a bubble message close animation that is related to the bubble

message open animation (paragraph [0072]).

It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Doss. The motivation to combine being,

to enhance the messaging experience by indicating via visual representation that the messaging

environment is expiring.

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22.   With respect to claim 34, the combination of Harvey and Doss discloses the

computerized system of claim 33, Harvey further discloses wherein: the received personalized

graphical message further comprises a sender icon identifier (column 7, lines 53-55; wherein the

Avatar is a graphical representation of the sender, and thus comprises a "sender icon"); and

displaying the received personalized graphical message comprises displaying a sender icon

identified by the sender icon identifier of the received personalized graphical message (column 7,

lines 53-55).

23.   With respect to claim 35, the combination of Harvey and Doss discloses the

computerized system of claim 33, Harvey further discloses wherein the graphical message shape

specification of the received personalized graphical message comprises: a shape identifier; shape dimensions; and a shape color scheme (column 11, lines 22-27).

24.   **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Harvey and Doss, as applied to claim 1 above, in view of Dodd (Patent No. 6,321,211).**

25.   With respect to claim 10, the combination of Harvey and Doss discloses the computerized method of claim 1, but fails to disclose visually unwrapping.

However, Dodd disclose the method wherein: displaying the notification (column 4, lines 63-67) of the personalized graphical message comprises displaying a wrapped gift (column 5, lines 44-46; Figure 2B shows the "wrapped gift" as the icon element 142); and the graphical message open animation comprises visually unwrapping the wrapped gift (column 5, lines 53-63; Figure 2E where the "unwrapping" is disclosed upon the recipient positioning the mouse cursor over the present icon and revealing the present).

It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey and Doss with the teachings of Dodd. The mechanism to display animations is disclosed by Harvey (column 8, lines 1-3), therefor it would have been obvious to combine the animation to include unwrapping a gifts, to allow for the message to simulate a virtual exchange of possessions though an animated sequence (Harvey: column 12, lines 40-43).

26.   **Claims 17-19, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Harvey and Doss, as applied to claim 1 and 33 above, in view of Azuma (Patent No. 2002/0032861).**

27.   With respect to claim 17, Harvey discloses the computerized method of claim 1, however fails to disclose an unmodifiable message.

Azuma discloses the method wherein the personalized graphical message is unmodifiable after creation (paragraph [0026], whereby the unmodifiable message is described by the, "electronic mail is read only").

It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey with the teachings of Azuma. The mechanism to create messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious to combine the message with the read-only restriction thereby making it unmodifiable, to allow for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

28.   With respect to claim 18, Harvey discloses the computerized method of claim 1, however fails to disclose a feature policy.

Azuma discloses the method wherein displaying the personalized graphical message comprises verifying that the personalized graphical message complies with at least one bubble message feature policy (paragraph [0080]).

It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey with the teachings of Azuma. The mechanism to display

messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious

to combine the message with a feather policy, to maintain that only registered users have access

to the messaging system.

29.   With respect to claim 19, Harvey discloses the computerized method of claim 18,

however fails to disclose an unmodifiable message.

        Azuma discloses the method wherein said at least one bubble message feature policy

comprises a bubble message feature policy inhibiting modification of the personalized graphical

message (paragraph [0026]).

        It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Azuma. The mechanism to create

messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious

to combine the message with the read-only restriction thereby making it unmodifiable, to allow

for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

30.   With respect to claim 36, Harvey discloses the computerized method of claim 33,

however fails to disclose an unmodifiable message.

        Azuma discloses the computerized system wherein the received personalized graphical

message is unmodifiable (paragraph [0026], whereby the inhibited modification of the message

is described by the, "electronic mail is read only").

        It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Azuma. The mechanism to create

messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious

to combine the message with the read-only restriction thereby making it unmodifiable, to allow

for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

31.   With respect to claim 37, Harvey discloses the computerized method of claim 33,

however fails to disclose a feature policy.

        Azuma discloses the computerized system wherein displaying the received personalized

graphical message comprises verifying that the received personalized graphical message

complies with at least one bubble message feature policy (paragraph [0080]).

        It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Azuma. The mechanism to display

messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious

to combine the message with a feather policy, to maintain that only registered users have access

to the messaging system.

32.   With respect to claim 38, Harvey discloses the computerized method of claim 37,

however fails to disclose an unmodifiable message.

        Azuma discloses the computerized system wherein said at least one bubble message

feature policy comprises a bubble message feature policy inhibiting modification of the received

personalized graphical message (paragraph [0026]).

        It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Azuma. The mechanism to create

messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious

to combine the message with the read-only restriction thereby making it unmodifiable, to allow

for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

33.   Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Harvey in view of Tzann-en Szeto (U.S. Patent Application Publication No. 2004/0215731,

hereinafter Szeto).

34.   With respect to claim 21, Harvey discloses the computer-readable medium having

thereon computer-executable instructions for communicating in a bubble messaging mode of

communication (column 6, lines 25-31) comprising:

Providing a display of new bubble message notifications (column 16, lines 3-7; Figure

16E), where each new bubble message notification is related to a respective bubble message

(column 10, lines 64-67, *chat wad*; column 11, lines 1-8) and each respective bubble message

includes bubble message text and a bubble message shape notification (column 16, lines 8-17);

Receiving selections of a number of the new bubble message notifications above a

specified threshold (column 20, line 66-67; column 21, lines 1-2);

In response to user interaction with each of the one or more of the number of new bubble

message notifications displaying (column 11, lines 20-24), for each of the one or more of the

number of new bubble message notifications:

a bubble message open animation (column 8, lines 1-3) transitioning to a bubble message

shape specified by the bubble message shape specification of a respective bubble message

(column 16, lines 3-7; Figure 16E); and

the respective bubble message, the respective bubble message having the bubble message

shape specified by the bubble message shape specification of the respective bubble message

(column 16, lines 8-17).

But does not disclose a new chooser display.

However, Szeto discloses providing a new message chooser display after receiving the

selections (paragraph [0061], lines 1-8), the new message chooser display including details

corresponding to the number of new message notifications (paragraph [0075]);

Adding one or more of the number of new message notifications in the new message

chooser display (paragraph [0045], lines 5-9) to a message display list in response to user

interaction with the one or more new message notifications in the new bubble message chooser

(paragraph [0075], lines 1-11);

It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Szeto. The motivation to combine being,

to enhance the messaging experience by offering users the ability to configure the interface

display of the messages exchanged between users in a manner that displays incoming messages.

35.   With respect to claim 22, the combination of Harvey and Szeto discloses the computer-

readable medium of claim 21, Harvey further discloses wherein: each respective bubble message

further comprises a sender icon identifier (column 7, lines 53-55; wherein the Avatar is a

graphical representation of the sender, and thus comprises a "sender icon"); and displaying the

respective bubble message comprises displaying a sender icon identified by the sender icon

identifier of the respective bubble message (column 7, lines 53-55).

36.   With respect to claim 23, the combination of Harvey and Szeto discloses the computer-

readable medium of claim 21, Harvey further discloses wherein the bubble message shape

specification comprises: a shape identifier; shape dimensions; and a shape color scheme (column

11, lines 22-27).

37.   **Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the
combination of Harvey and Szeto, as applied to claim 21 above, in view of Azuma.**

38.   With respect to claim 24, the combination of Harvey and Szeto discloses the

computerized method of claim 21, but fails to disclose an unmodifiable message.

        However, Azuma discloses the method wherein each respective bubble message is

unmodifiable (paragraph [0026], whereby the unmodifiable message is described by the,

"electronic mail is read only").

        It would have been obvious to one skilled in the art at the time the invention was made to

combine Harvey and Szeto the teachings of with the teachings of Azuma. The mechanism to

create messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been

obvious to combine the message with the read-only restriction thereby making it unmodifiable,

to allow for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

39.   With respect to claim 25, the combination of Harvey and Szeto discloses the computerized method of claim 21, but fails to disclose a feature policy.

However, Azuma discloses the method wherein displaying the respective bubble message comprises verifying that the respective bubble message complies with at least one bubble message feature policy (paragraph [0080]).

It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey and Szeto with the teachings of Azuma. The mechanism to display messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious to combine the message with a feather policy, to maintain that only registered users have access to the messaging system.

40.   With respect to claim 26, the combination of Harvey and Szeto discloses the computerized method of claim 21, but fails to disclose an unmodifiable message.

However, Azuma discloses the method wherein said at least one bubble message feature policy comprises a bubble message feature policy inhibiting modification of the respective bubble message (paragraph [0026], whereby the inhibited modification of the message is described by the, "electronic mail is read only").

It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey and Szeto with the teachings of Azuma. The mechanism to

create messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been

obvious to combine the message with the read-only restriction thereby making it unmodifiable,

to allow for the integrity of the content of the message to be maintained (Azuma: paragraph

[0009]).

41.   **Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Harvey, in view of Henderson et al (U.S. Patent Application Publication 2002/0178087,

hereinafter Henderson).

42.   With respect to claim 27, Harvey discloses the computerized system, comprising a bubble

message editor (column 6, lines 25-31), the bubble message editor configured to perform acts

comprising:

      Receive a selection of message edit actions (column 8, lines 49-52);

      create a personalized graphical message with the message edit action (column 16, lines

17-32), the created personalized graphical message comprising:

      message text (column 10, lines 61-63); and

      a graphical message shape specification (column 16, lines 8-17), the graphical message

shape specification specifying a shape of the created personalized graphical message when

displayed to which a graphical message open animation provides a transition in response to

recipient interaction with a displayed notification of the created personalized graphical message

(column 8, lines 1-3); and

seamlessly send the created personalized graphical message to at least one recipient

(column 16, lines 17-32).

But does not discloses locking or unlocking an action.

However Henderson discloses determine that the message edit action is locked

(paragraph [0070], lines 6-9);

Provide an indication that the message edit action is locked (paragraph [0070], lines 6-9);

Receive input related to unlocking the message edit action (paragraph [0070], lines 21-

23);

It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Henderson. The motivation to do so

being, to increase the security privileges in order to maintain that only those with usernames and

passwords that are recognized by the system, and have authority to edit messages do so.

43.   With respect to claim 28, the combination of Harvey and Henderson discloses the

computerized system of claim 27, Harvey further discloses wherein: the created personalized

graphical message further comprises a sender icon identifier (column 7, lines 53-55; wherein the

Avatar is a graphical representation of the sender, and thus comprises a "sender icon"); and

displaying the created personalized graphical message comprises displaying a sender icon

identified by the sender icon identifier of the created personalized graphical message (column 7,

lines 53-55).

44.   With respect to claim 29, the combination of Harvey and Henderson discloses the

computerized system of claim 27, Harvey further discloses wherein the graphical message shape

specification of the created personalized graphical message comprises: a shape identifier; shape

dimensions; and a shape color scheme (column 11, lines 22-27).

45.   **Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over the**

combination of Harvey and Henderson, as applied to claim 27 above, in view of Azuma.

46.   With respect to claim 30, the combination of Harvey and Henderson discloses the

computerized method of claim 27, however fails to disclose an unmodifiable message. Azuma

discloses the computerized system of claim 27, wherein the created personalized graphical

message is unmodifiable after creation (paragraph [0026], whereby the inhibited modification of

the message is described by the, "electronic mail is read only"). It would have been obvious to

one skilled in the art at the time the invention was made to combine the teachings of Harvey and

Henderson with the teachings of Azuma. The mechanism to create messages is disclosed by

Harvey (column 16, lines 17-32), therefor it would have been obvious to combine the message

with the read-only restriction thereby making it unmodifiable, to allow for the integrity of the

content of the message to be maintained (Azuma: paragraph [0009]).

47.   With respect to claim 31, the combination of Harvey and Henderson discloses the

computerized method of claim 27, however fails to disclose a feature policy. Azuma discloses

the computerized system of claim 27, wherein displaying the created personalized graphical

message comprises verifying that the created personalized graphical message complies with at least one bubble message feature policy (paragraph [0080]). It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey and Henderson with the teachings of Azuma. The mechanism to display messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious to combine the message with a feather policy, to maintain that only registered users have access to the messaging system.

With respect to claim 32, the combination of Harvey and Henderson discloses the computerized method of claim 31, however fails to disclose an unmodifiable message. Azuma discloses the computerized system wherein said at least one bubble message feature policy comprises a bubble message feature policy inhibiting modification of the created personalized graphical message (paragraph [0026], whereby the inhibited modification of the message is described by the, "electronic mail is read only"). It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey and Henderson with the teachings of Azuma. The mechanism to create messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious to combine the message with the read-only restriction thereby making it unmodifiable, to allow for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

48.   **Claims 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Harvey in view of Doss, and in further view of Lord et al (Patent No. 7,131,003, hereinafter Lord).**

49.   With respect to claim 39, Harvey discloses one or more computer-readable media

(column 6, lines 25-31) comprising

a bubble message data structure, wherein the bubble message data structure comprises,

bubble message identification data (column 14, lines 11-18), bubble message sender data

(column 14, lines 7-10); bubble message shape data (column 16, lines 8-17), the bubble message

shape data comprising a bubble message shape specification (column 16, lines 8-17); and bubble

message body data, the bubble message body data comprising bubble message text (column 10,

lines 61-63); and

instructions executable by a computer to implement acts comprising:

displaying a bubble message open animation in response to user

interaction with a displayed bubble message notification, the bubble message

open animation providing a transition to a shape specified by the bubble message

shape specification (column 8, lines 1-3);

But does not disclose bubble message version data, or closing animations.

However, Lord discloses version data (column 14, lines 24-26).

It would have been obvious to one skilled in the art at the time the invention was made to

combine the teachings of Harvey with the teachings of Lord. The mechanism to create messages

is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious to combine

the message with version data, to allow compatibility between messages sent and received

between users with different versions.

And Doss discloses displaying a bubble message close animation in response to user interaction with a bubble message view close action.

It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Harvey with the teachings of Doss. The motivation to combine being, to enhance the messaging experience by indicating via visual representation that the messaging environment is expiring.

50.   With respect to claim 40, the combination of Harvey, Doss, and Lord discloses the computer-readable medium of claim 39, wherein: the bubble message sender data comprises a sender icon identifier (column 7, lines 53-55; wherein the Avatar is a graphical representation of the sender, and thus comprises a "sender icon"); and displaying the bubble message comprises displaying a sender icon identified by the sender icon identifier of the bubble message sender data (column 7, lines 53-55).

51.   With respect to claim 41, the combination of Harvey, Doss, and Lord discloses the computer-readable medium of claim 39, wherein the bubble message shape specification of the bubble message shape data comprises: a shape identifier; shape dimensions; and a shape color scheme (column 11, lines 22-27).

52.   **Claims 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey, Lord and Doss, as applied to claim 39 above, in further view of Azuma.**

53.   With respect to claim 42, the combination of Harvey, Doss, and Lord fails to disclose an

unmodifiable message. However, Azuma discloses the computer-readable medium wherein the

bubble message is capable of being marked unmodifiable (paragraph [0026], whereby the

inhibited modification of the message is described by the, "electronic mail is read only"). It

would have been obvious to one skilled in the art at the time the invention was made to combine

the teachings of Harvey, Doss, and Lord with the teachings of Azuma. The mechanism to create

messages is disclosed by Harvey (column 16, lines 17-32), therefor it would have been obvious

to combine the message with the read-only restriction thereby making it unmodifiable, to allow

for the integrity of the content of the message to be maintained (Azuma: paragraph [0009]).

54.   With respect to claim 43, the combination of Harvey, Doss, and Lord fails to disclose a

feature policy. However, Azuma discloses the computer-readable medium wherein displaying

the bubble message comprises verifying that the bubble message complies with at least one

bubble message feature policy (paragraph [0080]). It would have been obvious to one skilled in

the art at the time the invention was made to combine the teachings of Harvey, Doss, and Lord

with the teachings of Azuma. The mechanism to display messages is disclosed by Harvey

(column 16, lines 17-32), therefor it would have been obvious to combine the message with a

feather policy, to maintain that only registered users have access to the messaging system.

55.   With respect to claim 44, the claim is rejected for the same reasons as claim 43 above. In

addition, Azuma discloses the computer-readable medium wherein said at least one bubble

message feature policy comprises a bubble message feature policy inhibiting modification of the

bubble message (paragraph [0026], whereby the inhibited modification of the message is

described by the, "electronic mail is read only").

Response to Arguments

56.   Applicant's arguments with respect to claims 1-44 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

57.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

58.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BLAKE RUBIN whose telephone number is (571) 270-3802.

The examiner can normally be reached on M-R: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/21/08

/Rubin Blake/
Examiner, Art Unit 2457

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457